

**RESOLUTION NO. 4  
SERIES 2002**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF GUNNISON, COLORADO, ELECTING TO HAVE CERTAIN PORTIONS OF THE BAN ON OPEN FIRE WHICH WAS ENACTED BY THE BOARD OF COUNTY COMMISSIONERS OF GUNNISON COUNTY, COLORADO, BY ADOPTION OF RESOLUTION NO. 02-25, ADOPTED MAY 7, 2002, APPLICABLE WITHIN THE INCORPORATED AREA OF THE CITY OF GUNNISON, COLORADO, AND AMENDING PRIOR RESOLUTION NO. 1 OF THE CITY COUNCIL.**

**WHEREAS**, the City Council of the City of Gunnison, Colorado, has determined that the danger of wild fires in the City of Gunnison, Colorado, is high, and that a ban on certain open fires in the incorporated area of the City of Gunnison, Colorado, is necessary and appropriate to reduce the danger of wild fires in the City of Gunnison; and

**WHEREAS**, pursuant to the authority of 30-15-401(2)(a), C.R.S., any incorporated town or city may elect, by resolution, to have provisions of a county ordinance to ban open fires applicable within the incorporated areas of said city or town; and

**WHEREAS**, the Board of County Commissioners of Gunnison County has adopted Ordinance No. 8, an ordinance establishing a permanent process to periodically ban open fires within the unincorporated areas of Gunnison County, Colorado; and

**WHEREAS**, the Board of County Commissioners of Gunnison County has exercised this authority to ban such fires by the adoption of Resolution No. 02-25, adopted May 7, 2002; and

**WHEREAS**, the City Council of the City of Gunnison, Colorado, has determined that it is advisable for the public health and safety of the citizens of the City to make applicable certain portions of said fire ban within the incorporated areas of the City of Gunnison.

**NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF GUNNISON, COLORADO, THAT:**

Section 1. The fire ban enacted by the Board of County Commissioners of Gunnison County, Colorado, pursuant to Ordinance No. 8, by the adoption of Resolution No. 02-25, is hereby declared to be applicable within the incorporated area of the City of Gunnison, Colorado, except as set forth in Section 3 hereof.

Section 2. The terms of such fire ban, as adopted by the County, are as set forth in the official notice thereof attached hereto and incorporated herein by this reference as Exhibit A.

Section 3. Within the incorporated area of the City of Gunnison, the following burning activities shall be permitted:

- A. Smoking shall be allowed outdoors within the incorporated area of the City of Gunnison, Colorado.
- B. Charcoal grill fires at private residences shall be permitted within the incorporated area of the City of Gunnison, Colorado, provided that the charcoal grill shall have a non-combustible lid and there be available a portable fire extinguisher or a water source capable of extinguishing a charcoal grill fire.

- C. Portable commercial barbeque grills with enclosed combustion chambers and spark arresters on the vent stack shall be permitted within the incorporated area of the City of Gunnison, Colorado, provided that there shall be available a portable fire extinguisher or a water source capable of extinguishing the commercial barbeque grill fire.

**INTRODUCED, READ, PASSED, AND ADOPTED** at a special meeting of the City Council of the City of Gunnison, Colorado, held this 18<sup>th</sup> day of July, 2002.

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Mayor

(SEAL)

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Deputy City Clerk